

REMARKS

Reconsideration of the above-identified application in view of the preceding amendments and following remarks is respectfully requested. By this Amendment, Applicants have cancelled Claim 1 and 2, have added new Claims 3-9 and have amended the specification of the application. Following these amendments, Claims 3-9 are pending in this application. It is respectfully submitted that no new matter has been introduced by these amendments, as support therefor is found throughout the specification and drawings.

In the Office Action, the drawings were objected to by the Examiner as failing to comply with 37 C.F.R. 1.84(p)(5) because they include a reference character not mentioned in the description. More specifically, reference number 29 of Figure 1 is not mentioned in the specification. In response to this objection, Applicants have amended the specification to recite that the back portion of the cover is identified in the drawings using reference numeral 29. This paragraph of the specification was also amended to correct other minor informalities found by Applicants representative.

In the Office Action, the Examiner rejected Claims 1 and 2 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. More specifically, the Examiner noted that the phrases “book-like” and “planar-like” used in Claims 1 and 2, render the claims indefinite because it is unclear what “like” is intended to convey. As noted above, Applicants have cancelled Claims 1 and 2, thus rendering this rejection moot. Moreover, these phrase do not appear in any of the new claims presented herein.

In the Office Action, the Examiner rejected Claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 1,992,618 to Jeffreys (hereinafter "Jeffreys"). As noted above, Applicants have cancelled Claims 1 and 2, thus rendering this rejection moot.

In the Office Action, the Examiner further rejected Claims 1 and 2 under 35 U.S.C. 103(a) as being rendered obvious by the combination of PG Pub. 2003/0106814 to Gelardi et al. (hereinafter "Gelardi") in view of Jeffreys. As noted above, Applicants have cancelled Claims 1 and 2, thus rendering this rejection moot.

With respect to the new claims added in this amendment Applicants provide the following remarks:

Jeffreys discloses a book or pamphlet construction that includes a stack of folios or pages in a case or binding. The binding has a pair of flap portions 4/5 that are interjoined by a spine portion 7. The flap portions are preferably of a stiff nature while the spine portion is preferably flexible. Since the spine is flexible, the flaps and the spine are not separated by hinge lines. Moreover, the binding is formed in three sections (a front section, a back section and a spine section) and each flap portion 4/5 is cemented directly to the stack of folios. More specifically, outer unattached surface 14 of the beginning folio 17 is cemented as at 20 to the flap portion 5 of the case part and the outer unattached surface 14 of the closing folio 18 is cemented as at 21 to the flap portion 4.

Gilardi discloses a package for holding multiple media discs that includes a stack of disc-holding trays, and a flexible hinge member affixed to hinge edges of each tray, which secures the trays in relation to each other. The stack of trays may be mounted onto

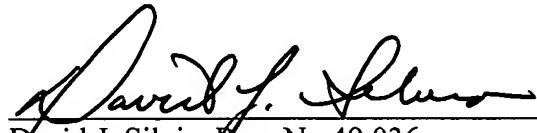
a panel of a folded jacket which includes front and back covers that are separated by a spine. As shown in Fig. 6, the entire width of the back cover is affixed to the bottom of the stack. Moreover, like Jeffreys the cover in Gilardi is formed in three sections (a front section, a back section and a spine).

Applicants respectfully submit that new claims 3-9 are patentable over Jeffreys either alone or in combination with Gelardi. For example, each of these references discloses a package that includes a cover or binding having three sections (a front portion, a back portion and a spine portion). Each of the new claims are directed to a product package or a method of making a product package that includes a cover with four distinct sections separated by hinge lines. Therefore, Applicants respectfully submit that new claims 3-9 are patentable over Jeffreys either alone or in combination with Gelardi and an action acknowledging the same is respectfully requested.

If after reviewing this amendment, the Examiner believes that a telephone interview would facilitate the resolution of any remaining matters the undersigned attorney may be contacted at the number set forth herein below.

Respectfully submitted,

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